

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

THE EQUAL RIGHTS CENTER,

Plaintiff,

v.

EQUITY RESIDENTIAL, *et al.*,

Defendants.

Case No. 1:06-cv-01060-CCB

DEFENDANTS' INTERIM SEALING MOTION

Defendants, Equity Residential and ERP Operating Limited Partnership (collectively, "Equity") by and through their undersigned counsel, and pursuant to Local Rule 105.11, move this Court to file under seal portions of the Appendix to Defendants' Memorandum In Support Of Cross Motion For Partial Summary Judgment As To Plaintiff's Nine Properties. In support of this Motion, Equity states:

1. On October 10, 2007, the Court entered the parties' Stipulated Order Regarding Confidentiality of Discovery Material (Dkt. #48) (the "Protective Order").
2. Paragraph 2 of the Protective Order provides that that if materials that are subject to the Protective Order are filed with this Court, they shall be filed under seal with a simultaneous Interim Sealing Motion.
3. The Plaintiff has designated certain items as "Confidential" under the Protective Order that Equity is submitting in the Appendix to Defendants' Memorandum in Support Of Cross Motion For Partial Summary Judgment As To Plaintiff's Nine Properties. Specifically, Plaintiff has designated as Confidential: Appendix Tab F, Deposition of Rebecca Crootof, pp.

227-229; and Appendix Tab H, ERC's 2005/2004 Financial Statement, pp. ERC-02346-57 (collectively, the "Sealed Record").

4. Plaintiff's designation of confidentiality is its indication that there are no alternatives to sealing that would provide sufficient protection from disclosure of the "Confidential" information and materials contained therein.

5. Defendants reserve their right to challenge Plaintiff's designations of confidentiality but submits this motion for interim sealing in order to comply with the Protective Order.

WHEREFORE, Equity respectfully requests that this Honorable Court enter an Order substantially in the form of the proposed Order Sealing Portions Of The Court Record filed contemporaneously with this Interim Sealing Motion.

Dated: April 19, 2010

Respectfully submitted,

/s/ Craig M. White

Craig M. White
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CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2010, I electronically filed the foregoing document with the Court using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Beth L. Fancsali